

First Regular Session  
Seventy-second General Assembly  
STATE OF COLORADO

DRAFT  
9.12.18

BILL 4

LLS NO. 19-0229.01 Kristen Forrestal x4217

INTERIM COMMITTEE BILL

**Opioid and Other Substance Use Disorders**  
**Interim Study Committee**

**BILL TOPIC: "Prevention Of Opioid And Other Substance Use"**

**A BILL FOR AN ACT**

101     **CONCERNING MEASURES TO PREVENT SUBSTANCE ABUSE, AND, IN**  
102             **CONNECTION THEREWITH, REQUIRING CERTAIN PRESCRIBERS**  
103             **TO COMPLETE SUBSTANCE USE DISORDER TRAINING; ALLOWING**  
104             **MEDICAL EXAMINERS ACCESS TO THE PRESCRIPTION DRUG**  
105             **MONITORING PROGRAM; AMENDING THE DEFINITION OF**  
106             **"ABUSE" IN THE "CHILD PROTECTION ACT OF 1987";**  
107             **CREATING A PRENATAL SCREENING, BRIEF INTERVENTION, AND**  
108             **REFERRAL TO TREATMENT PILOT PROGRAM; EXPANDING THE**  
109             **HOUSEHOLD MEDICATION TAKE-BACK PROGRAM; REQUIRING**  
110             **THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING TO**  
111             **IMPLEMENT A GRANT PROGRAM TO SERVE CERTAIN PERSONS**  
112             **WITH SUBSTANCE USE DISORDERS; REQUIRING THE CENTER FOR**  
113             **RESEARCH INTO SUBSTANCE USE DISORDER PREVENTION,**

*Capital letters or bold & italic numbers indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.*

101 TREATMENT, AND RECOVERY SUPPORT STRATEGIES TO DEVELOP  
102 AND IMPLEMENT A PROGRAM TO INCREASE PUBLIC AWARENESS  
103 CONCERNING THE SAFE USE, STORAGE, AND DISPOSAL OF  
104 ANTAGONIST DRUGS; REQUIRING THE OFFICE OF BEHAVIORAL  
105 HEALTH IN THE DEPARTMENT OF HUMAN SERVICES TO  
106 ADMINISTER A CHILD AND MATERNAL HEALTH PILOT PROGRAM;  
107 AND MAKING AN APPROPRIATION.

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### Bill Summary

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)*

#### **Opioid and Other Substance Use Disorders Interim Study Committee.** The bill:

- Requires certain health care providers who have prescriptive authority to complete substance use disorder training as part of continuing education required to renew the provider's license. Specifically, the requirement applies to: Podiatrists (**section 1** of the bill), dentists (**section 2**), advanced practice nurses (**section 3**), optometrists (**section 4**), and veterinarians (**section 5**);
- Allows medical examiners access to the prescription drug monitoring program under specified circumstances (**section 6**);
- Amends the definition of "abuse" for the purpose of the "Child Protection Act of 1987" to mean newborn children who are born affected by substance exposure and who present factors that threaten the newborn child's health or welfare (**section 7**);
- Creates the prenatal screening, brief intervention, and referral to treatment pilot program to gather data concerning pregnant women with substance use disorders and infants who are affected by substance use prior to birth (**section 8**);
- Appropriates money to the department of public health and environment to expand the household medication take-back program to include a process for the safe collection and disposal of medication injection devices

- (section 9); Requires the department of health care policy and financing to implement a grant program to refer persons with substance use disorders who have tested positive for hepatitis C or HIV and have used injectable drugs to treatment for substance use and mental health issues (section 10);
- Requires the center for research into substance use disorder prevention, treatment, and recovery support strategies to develop and implement a program to increase public awareness concerning the safe use, storage, and disposal of antagonist drugs (section 11);
- Requires the office of behavioral health in the department of human services to administer a pilot program to integrate substance use disorder and medication-assisted treatment with obstetric and gynecological health care (section 12); and
- Increases the appropriation to the department of public health and environment for distribution to local public health agencies in an amount sufficient to fund local activities relating to opioid and other substance use disorders (section 13).

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1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 12-32-111, **amend**  
 3 (1)(a) as follows:

4 **12-32-111. Renewal of license.** (1) (a) The Colorado podiatry  
 5 board shall set reasonable continuing education requirements for renewal  
 6 of license, but in no event shall the board require more than fourteen  
 7 hours' credit of continuing education per year. FOR THE RENEWAL OF A  
 8 LICENSE ON OR AFTER JULY 1, 2019, THE CONTINUING EDUCATION  
 9 REQUIREMENTS MUST INCLUDE TRAINING REGARDING SUBSTANCE USE  
 10 DISORDERS; THE USE OF FEDERAL FOOD AND DRUG  
 11 ADMINISTRATION-APPROVED MEDICATIONS, IN COMBINATION WITH  
 12 COUNSELING AND BEHAVIORAL THERAPIES, TO PROVIDE A WHOLE-PATIENT  
 13 APPROACH TO THE TREATMENT OF SUBSTANCE USE DISORDERS; AND THE

1 USE OF THE PRESCRIPTION DRUG MONITORING PROGRAM CREATED IN PART  
2 4 OF ARTICLE 42.5 OF THIS TITLE 12. A podiatrist desiring to renew his or  
3 her license to practice podiatry shall submit to the Colorado podiatry  
4 board the information the board believes necessary to show that he or she  
5 has fulfilled the board's continuing education requirements and a fee to  
6 be determined and collected pursuant to section 24-34-105. ~~C.R.S.~~

7 **SECTION 2.** In Colorado Revised Statutes, 12-35-139, **amend**  
8 (2) as follows:

9 **12-35-139. Continuing education requirements - rules.** (2) The  
10 board may adopt rules establishing the basic requirements for continuing  
11 education, including the types of programs that qualify, exemptions for  
12 persons holding an inactive or retired license, requirements for courses  
13 designed to enhance clinical skills for certain licenses, and the manner by  
14 which dentists and dental hygienists are to report compliance with the  
15 continuing education requirements. AS A CONDITION OF RENEWING,  
16 REACTIVATING, OR REINSTATING A LICENSE ON OR AFTER JULY 1, 2019,  
17 THE CONTINUING EDUCATION MUST INCLUDE TRAINING REGARDING  
18 SUBSTANCE USE DISORDERS; THE USE OF FEDERAL FOOD AND DRUG  
19 ADMINISTRATION-APPROVED MEDICATIONS, IN COMBINATION WITH  
20 COUNSELING AND BEHAVIORAL THERAPIES, TO PROVIDE A WHOLE-PATIENT  
21 APPROACH TO THE TREATMENT OF SUBSTANCE USE DISORDERS; AND THE  
22 USE OF THE PRESCRIPTION DRUG MONITORING PROGRAM CREATED IN PART  
23 4 OF ARTICLE 42.5 OF THIS TITLE 12.

24 **SECTION 3.** In Colorado Revised Statutes, **amend** 12-38-127  
25 as follows:

26 **12-38-127. Continuing education.** (1) In addition to any other  
27 authority conferred upon the board by this article **38**, the board is

1 authorized to require no more than twenty hours of continuing education  
2 every two years as a condition of renewal of licenses and to establish  
3 procedures and standards for ~~such~~ THE educational requirements. The  
4 board shall, to assure that the continuing education requirements imposed  
5 do not have the effect of restraining competition among providers of such  
6 education, recognize a variety of alternative means of compliance with  
7 ~~such~~ THE requirements.

8 (2) AS A CONDITION OF RENEWAL OF LICENSES ON AND AFTER  
9 JULY 1, 2019, FOR ADVANCED PRACTICE NURSES WHO HAVE PRESCRIPTIVE  
10 AUTHORITY PURSUANT TO SECTION 12-38-111.6, THE CONTINUING  
11 EDUCATION REQUIREMENT MUST INCLUDE TRAINING REGARDING  
12 SUBSTANCE USE DISORDERS; THE USE OF FEDERAL FOOD AND DRUG  
13 ADMINISTRATION-APPROVED MEDICATIONS, IN COMBINATION WITH  
14 COUNSELING AND BEHAVIORAL THERAPIES, TO PROVIDE A WHOLE-PATIENT  
15 APPROACH TO THE TREATMENT OF SUBSTANCE USE DISORDERS; AND THE  
16 USE OF THE PRESCRIPTION DRUG MONITORING PROGRAM CREATED IN PART  
17 4 OF ARTICLE 42.5 OF THIS TITLE 12.

18 (3) The board shall adopt rules ~~and regulations~~ that are necessary  
19 to carry out ~~the provisions of this section, such~~ THE rules ~~and regulations~~  
20 to be promulgated in accordance with ~~the provisions of article 4 of title~~  
21 24. ~~C.R.S.~~

22 **SECTION 4.** In Colorado Revised Statutes, 12-40-113, **amend**  
23 (1)(f) as follows:

24 **12-40-113. License renewal - requirements - fee - failure to**  
25 **pay.** (1) (f) (I) Effective April 1, 1993, in addition to all other  
26 requirements of this section for license renewal, the board shall require  
27 that each optometrist seeking to renew a license shall have completed

1 twenty-four hours of board-approved continuing education. Any  
2 optometrist desiring to renew a license to practice optometry in this state  
3 shall submit to the board the information the board believes is necessary  
4 to show that the optometrist has fulfilled the continuing education  
5 requirements of this ~~paragraph~~ SUBSECTION **(1)(f)**. Implementation of this  
6 ~~paragraph (f) shall~~ SUBSECTION **(1)(f)** MUST occur within existing  
7 appropriations.

8 (II) EFFECTIVE JULY 1, 2019, AS A CONDITION OF RENEWAL OF A  
9 LICENSE, THE BOARD-APPROVED CONTINUING EDUCATION MUST INCLUDE  
10 TRAINING REGARDING SUBSTANCE USE DISORDERS; THE USE OF FEDERAL  
11 FOOD AND DRUG ADMINISTRATION-APPROVED MEDICATIONS, IN  
12 COMBINATION WITH COUNSELING AND BEHAVIORAL THERAPIES, TO  
13 PROVIDE A WHOLE-PATIENT APPROACH TO THE TREATMENT OF SUBSTANCE  
14 USE DISORDERS; AND THE USE OF THE PRESCRIPTION DRUG MONITORING  
15 PROGRAM CREATED IN PART 4 OF ARTICLE 42.5 OF THIS TITLE 12.

16 **SECTION 5.** In Colorado Revised Statutes, 12-64-110, **amend**  
17 **(4)(a)** as follows:

18 **12-64-110. License renewal.** (4) (a) (I) In order to obtain license  
19 renewal, each licensee, except as otherwise provided, must complete a  
20 board-approved veterinary continuing educational program of at least  
21 thirty-two hours biennially. AS A CONDITION OF OBTAINING OR RENEWING  
22 A LICENSE ON OR AFTER JULY 1, 2019, THE CONTINUING EDUCATION  
23 PROGRAM MUST INCLUDE TRAINING REGARDING SUBSTANCE USE  
24 DISORDERS AND THE USE OF THE PRESCRIPTION DRUG MONITORING  
25 PROGRAM CREATED IN PART 4 OF ARTICLE 42.5 OF THIS TITLE 12.

26 (II) The courses may be taken at any time during the period since  
27 the license was last renewed and before the license is due to be renewed.

1 The licensee shall provide satisfactory proof of the completion of all  
2 delinquent continuing education requirements. For good cause, the board  
3 may prescribe the type and character of continuing education courses to  
4 be taken by any ~~doctor of veterinary medicine~~ VETERINARIAN in order to  
5 comply with the requirements of this article **64**.

6 **SECTION 6.** In Colorado Revised Statutes, 12-42.5-404, **add** (3)  
7 (j) as follows:

8 **12-42.5-404. Program operation - access - rules - definitions**  
9 **- repeal.** (3) The program is available for query only to the following  
10 persons or groups of persons:

11 (j) A MEDICAL EXAMINER IF THE INFORMATION RELEASED IS  
12 SPECIFIC TO AN INDIVIDUAL WHO IS THE SUBJECT OF AN AUTOPSY  
13 CONDUCTED BY THE MEDICAL EXAMINER AND THE INDIVIDUAL'S DEATH  
14 OR INJURY OCCURRED UNDER UNUSUAL, SUSPICIOUS, OR UNNATURAL  
15 CIRCUMSTANCES.

16 **SECTION 7.** In Colorado Revised Statutes, 19-1-103, **amend**  
17 (1)(a) introductory portion and (1)(a)(VII) as follows:

18 **19-1-103. Definitions.** As used in this title 19 or in the specified  
19 portion of this title 19, unless the context otherwise requires:

20 (1)(a) "Abuse" or "child abuse or neglect", as used in THE "CHILD  
21 PROTECTION ACT OF 1987", part 3 of article 3 of this title **19**, means an  
22 act or omission in one of the following categories that threatens the  
23 health or welfare of a child:

24 (VII) Any case in which a ~~child tests positive at birth for either a~~  
25 ~~schedule I controlled substance, as defined in section 18-18-203, C.R.S.,~~  
26 ~~or a schedule II controlled substance, as defined in section 18-18-204,~~  
27 ~~C.R.S., unless the child tests positive for a schedule II controlled~~

1 ~~substance as a result of the mother's lawful intake of such substance as~~  
2 ~~prescribed~~ NEWBORN CHILD IS BORN AFFECTED BY ALCOHOL OR DRUG  
3 EXPOSURE AND FACTORS ARE PRESENT THAT THREATEN THE NEWBORN  
4 CHILD'S HEALTH OR WELFARE;

5 **SECTION 8.** In Colorado Revised Statutes, **add** part 9 to article  
6 21 of title 23 as follows:

7 **PART 9**  
8 **PRENATAL SCREENING, BRIEF INTERVENTION, AND**  
9 **REFERRAL TO TREATMENT PILOT PROGRAM**

10 **23-21-901. Short title.** THE SHORT TITLE OF THIS PART 9 IS THE  
11 "PRENATAL SCREENING, BRIEF INTERVENTION, AND REFERRAL TO  
12 TREATMENT PILOT PROGRAM ACT".

13 **23-21-902. Legislative declaration.** (1) THE GENERAL ASSEMBLY  
14 FINDS THAT:

15 (a) PREGNANT WOMEN OFTEN DENY OR UNDER-REPORT  
16 SUBSTANCE USE;

17 (b) THERE IS INCOMPLETE AND DELAYED REPORTING OF DATA  
18 CONCERNING INFANTS' WITHDRAWAL FROM CERTAIN DRUGS IN THE WOMB  
19 PRIOR TO BIRTH;

20 (c) SCREENING, INTERVENTION, AND REFERRAL TO TREATMENT  
21 PROCEDURAL CODES ARE UNDER-UTILIZED AND UNDER-REPORTED IN  
22 CLAIMS DATA AND ELECTRONIC HEALTH RECORDS;

23 (d) THERE IS A LACK OF REPORTING AND MONITORING OF  
24 PRENATAL SCREENING, BRIEF INTERVENTION, AND REFERRAL TO  
25 TREATMENT MEASURES BY FACILITIES AT THE STATE AND COUNTY  
26 LEVELS; AND

27 (e) THERE ARE DELAYS OR MISSED ACCESS TO



1 MEDICATION-ASSISTED TREATMENT FOR PREGNANT WOMEN.

2 (2) IT IS THE INTENT OF THE GENERAL ASSEMBLY TO IMPLEMENT  
3 A PILOT PROGRAM IN FACILITIES WITH THE GOAL OF:

4 (a) INSTITUTIONALIZING UNIVERSAL AND PROMPT PRENATAL  
5 SCREENING;

6 (b) REDUCING THE STIGMA RELATED TO DRUG TREATMENT FOR  
7 PREGNANT WOMEN;

8 (c) INCREASING ACCESS TO MEDICATION-ASSISTED TREATMENT  
9 FOR PREGNANT WOMEN AND PREVENTING PRENATAL SUBSTANCE USE; AND  
10 (d) MANAGING TREATMENT OF SUBSTANCE-EXPOSED PREGNANT  
11 WOMEN AND INFANTS AND REDUCING THE COST OF TREATMENT FOR  
12 PREGNANT WOMEN IN COLORADO.

13 (3) BECAUSE THE PILOT PROGRAM CREATED IN THIS PART 9 WILL  
14 PROVIDE ACCESS TO TREATMENT TO PREGNANT WOMEN WITH SUBSTANCE  
15 USE DISORDERS, THE GENERAL ASSEMBLY FINDS THAT THE USE OF RETAIL  
16 MARIJUANA TAX REVENUES TO FUND THE PILOT PROGRAM IS AUTHORIZED  
17 UNDER SECTION 39-28.8-501 (2)(b)(IV)(C).

18 **23-21-903. Definitions.** AS USED IN THIS PART 9, UNLESS THE  
19 CONTEXT OTHERWISE REQUIRES:

20 (1) "COLLEGE OF NURSING" MEANS THE COLLEGE OF NURSING AT  
21 THE UNIVERSITY OF COLORADO ANSCHUTZ MEDICAL CAMPUS, OPERATED  
22 BY THE BOARD OF REGENTS OF THE UNIVERSITY OF COLORADO.

23 (2) "FACILITY" MEANS A FACILITY LICENSED BY THE DEPARTMENT  
24 OF PUBLIC HEALTH AND ENVIRONMENT PURSUANT TO ARTICLES 1.5 AND  
25 3 OF TITLE 25, A LOCAL JAIL AS DEFINED IN SECTION 17-1-102 (7), A  
26 PRIVATE CONTRACT PRISON AS DEFINED IN SECTION 17-1-102 (7.3), OR A  
27 CORRECTIONAL FACILITY SUPERVISED BY THE EXECUTIVE DIRECTOR OF

1 THE DEPARTMENT OF CORRECTIONS PURSUANT TO SECTION 17-20-102.

2 (3) "FEDERAL ACT" MEANS SECTION 303 OF THE FEDERAL  
3 "COMPREHENSIVE ADDICTION AND RECOVERY ACT OF 2016", PUB.L.  
4 114-198.

5 (4) "INTEGRATED SYSTEMS OF RESPONSE" MEANS AN APPROACH  
6 TO ADDRESS THE NEED FOR MEDICAL AND PUBLIC HEALTH SYSTEMS TO  
7 WORK COLLECTIVELY TO PROMOTE EDUCATION, ROUTINE CLINICAL  
8 PRACTICES, AND SURVEILLANCE OF PUBLIC HEALTH ACTIONS.

9 (5) "PILOT PROGRAM" MEANS THE PRENATAL SCREENING, BRIEF  
10 INTERVENTION, AND REFERRAL TO TREATMENT PILOT PROGRAM CREATED  
11 IN SECTION 23-21-904.

12 (6) "PUBLIC HEALTH SURVEILLANCE" MEANS THE SYSTEMATIC,  
13 ONGOING COLLECTION, ANALYSIS, INTERPRETATION, AND DISSEMINATION  
14 OF DATA FOR THE PLANNING, IMPLEMENTATION, AND EVALUATION OF  
15 PUBLIC HEALTH ACTIONS.

16 (7) "SCREENING, BRIEF INTERVENTION, AND REFERRAL TO  
17 TREATMENT" OR "SBIRT" MEANS AN APPROACH TO THE EARLY  
18 IDENTIFICATION OF, AND DELIVERY OF EARLY INTERVENTION SERVICES  
19 AND TREATMENT TO, PEOPLE WITH SUBSTANCE USE DISORDERS AND THOSE  
20 AT RISK OF DEVELOPING THESE DISORDERS.

21 **23-21-904. Prenatal screening, brief intervention, and referral**  
22 **to treatment pilot program - created - pilot program location -**  
23 **availability of grants - administration by college of nursing.**

24 (1) THERE IS HEREBY CREATED THE PRENATAL SCREENING, BRIEF  
25 INTERVENTION, AND REFERRAL TO TREATMENT PILOT PROGRAM TO  
26 PROVIDE FACILITIES WITH TRAINING, TECHNICAL ASSISTANCE, AND  
27 CONSULTATION TO ENABLE:

1           (a) THE COMPILATION OF EXISTING SBIRT DATA; THE  
2 EXPLORATION OF NEW DATA SOURCES; AND THE MONITORING OF  
3 FACILITIES IN COUNTIES SPECIFIED IN SUBSECTION (2) OF THIS SECTION  
4 THAT PROVIDE HEALTH CARE SERVICES TO DETERMINE THE RATES AND  
5 TIMING OF SBIRT, THE PREVALENCE OF SUBSTANCE-EXPOSED  
6 PREGNANCIES, AND THE EXPOSURE OF INFANTS TO SUBSTANCE USE AND  
7 WITHDRAWAL; AND

8           (b) THE EVALUATION OF THE QUALITY OF SBIRT AND THE  
9 OUTCOMES FOR SERVICES PROVIDED IN FACILITIES IN THE COUNTIES  
10 SPECIFIED IN SUBSECTION (2) OF THIS SECTION.

11           (2) THE PILOT PROGRAM IS AVAILABLE TO AWARD GRANTS TO  
12 FACILITIES THAT PROVIDE HEALTH CARE TO PREGNANT WOMEN AND  
13 INFANTS IN ALAMOSA, BOULDER, DENVER, EL PASO, AND PUEBLO  
14 COUNTIES.

15           (3) FACILITIES MAY ENGAGE THE PILOT PROGRAM TO:

16           (a) COMPILE EXISTING SBIRT DATA AND EXPLORE NEW DATA  
17 SOURCES IN THEIR FACILITIES;

18           (b) MONITOR THE RATES AND TIMING OF SBIRT, THE PREVALENCE  
19 OF SUBSTANCE-EXPOSED PREGNANCIES, AND THE EXPOSURE OF INFANTS  
20 TO SUBSTANCE USE AND WITHDRAWAL;

21           (c) EVALUATE THE QUALITY OF SBIRT, INCLUDING ITS  
22 FREQUENCY AND TIMING AND THE OUTCOMES SUCH AS NEONATAL  
23 ABSTINENCE SYNDROME, MORPHINE USE, LENGTH OF TREATMENT OF THE  
24 WOMEN AND INFANTS, BIRTH OUTCOMES, MISCARRIAGES, AND THE COSTS  
25 OF HEALTH CARE SERVICES PROVIDED BY FACILITIES, RESULTING FROM  
26 THE SERVICES PROVIDED IN THE FACILITIES; AND

27           (d) PROVIDE SBIRT TRAINING, TECHNICAL ASSISTANCE, AND

1 CONSULTATION SERVICES TO HEALTH CARE PROVIDERS WITHIN THE  
2 FACILITIES.

3 (4) THE COLLEGE OF NURSING SHALL ADMINISTER THE PILOT  
4 PROGRAM AND, SUBJECT TO AVAILABLE APPROPRIATIONS, SHALL AWARD  
5 GRANTS AS SOON AS PRACTICABLE IN THE 2019-20 FISCAL YEAR, BUT NO  
6 LATER THAN JANUARY 1, 2020. SUBJECT TO AVAILABLE APPROPRIATIONS,  
7 GRANTS MUST BE PAID OUT OF MONEY ANNUALLY APPROPRIATED FOR THE  
8 PILOT PROGRAM AS PROVIDED IN SECTION 23-21-907.

9 (5) THE COLLEGE OF NURSING SHALL IMPLEMENT THE PILOT  
10 PROGRAM IN ACCORDANCE WITH THIS PART 9 AND SHALL DEVELOP, WITH  
11 ASSISTANCE FROM AND IN COORDINATION WITH THE ADVISORY BOARD  
12 CREATED IN SECTION 23-21-905, PILOT PROGRAM GUIDELINES AND  
13 PROCEDURES AS NECESSARY TO IMPLEMENT THE PILOT PROGRAM,  
14 INCLUDING:

15 (a) GUIDELINES AND PROCEDURES SPECIFYING THE TIME FRAMES  
16 FOR APPLYING FOR GRANTS; THE FORM OF THE PILOT PROGRAM GRANT  
17 APPLICATION; THE TIME FRAMES FOR DISTRIBUTING GRANT MONEY,  
18 TECHNICAL ASSISTANCE, AND CONSULTATION TO GRANT RECIPIENTS; AND  
19 EVALUATION OF THE PILOT PROGRAM; AND

20 (b) GUIDELINES AND PROCEDURES SPECIFYING THE TIME FRAMES  
21 FOR CONDUCTING PUBLIC HEALTH SURVEILLANCE AND INTEGRATED  
22 SYSTEMS OF RESPONSE IN THE FACILITIES.

23 **23-21-905. Pilot program advisory board - created - duties.**

24 (1) THERE IS HEREBY CREATED WITHIN THE COLLEGE OF NURSING THE  
25 PRENATAL SBIRT PILOT PROGRAM ADVISORY BOARD, WHICH SHALL:

26 (a) REVIEW AND APPROVE PILOT PROGRAM GUIDELINES AND  
27 PROCEDURES, INCLUDING THE GRANT APPLICATION AND REVIEW PROCESS

1 AND THE CRITERIA FOR RECEIVING A GRANT;

2 (b) ADVISE AND PROVIDE ASSISTANCE TO THE COLLEGE OF  
3 NURSING ON THE IMPLEMENTATION OF THE PILOT PROGRAM;

4 (c) REVIEW AND MAKE RECOMMENDATIONS TO THE COLLEGE OF  
5 NURSING ON GRANT APPLICATIONS, INCLUDING RECOMMENDATIONS FOR  
6 GRANT AWARD AMOUNTS;

7 (d) ASSIST THE COLLEGE OF NURSING IN EVALUATING THE PILOT  
8 PROGRAM; AND

9 (e) PERFORM OTHER TASKS, AS REQUESTED BY THE COLLEGE OF  
10 NURSING, RELATED TO THE IMPLEMENTATION AND ADMINISTRATION OF  
11 THE PILOT PROGRAM.

12 (2) THE ADVISORY BOARD CONSISTS OF REPRESENTATIVES OF THE  
13 FOLLOWING ENTITIES OR ORGANIZATIONS WHO ARE DESIGNATED BY THE  
14 ENTITY OR ORGANIZATION:

15 (a) THE COLLEGE OF NURSING;

16 (b) THE STATE SUBSTANCE ABUSE TREND AND RESPONSE TASK  
17 FORCE CREATED IN SECTION 18-18.5-103;

18 (c) THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT;

19 (d) THE DEPARTMENT OF HUMAN SERVICES;

20 (e) THE COLORADO CONSORTIUM FOR PRESCRIPTION DRUG ABUSE  
21 PREVENTION, ADMINISTERED UNDER THE SCHOOL OF PHARMACY AND  
22 PHARMACEUTICAL SCIENCES AT THE UNIVERSITY OF COLORADO  
23 ANSCHUTZ MEDICAL CAMPUS;

24 (f) THE COLORADO SECTION OF THE AMERICAN COLLEGE OF  
25 OBSTETRICIANS AND GYNECOLOGISTS;

26 (g) THE COLORADO CHAPTER OF THE AMERICAN ACADEMY OF  
27 PEDIATRICS;

- 1 (h) THE COLORADO ACADEMY OF FAMILY PHYSICIANS;  
2 (i) THE COLORADO SOCIETY OF ADDICTION MEDICINE;  
3 (j) THE COLORADO NURSES ASSOCIATION;  
4 (k) THE COLORADO MIDWIVES ASSOCIATION;  
5 (l) THE COLORADO HOSPITAL ASSOCIATION;  
6 (m) THE COLORADO MEDICAL SOCIETY; AND  
7 (n) AT LEAST ONE MEDICAL PROFESSIONAL AND ONE PUBLIC  
8 HEALTH PROFESSIONAL FROM EACH COUNTY AND FROM EACH FACILITY IN  
9 THE PILOT PROGRAM AREA.

10 **23-21-906. Reporting requirements - rules.** (1) THE EXECUTIVE  
11 DIRECTOR OF THE COMMISSION ON HIGHER EDUCATION MAY PROMULGATE  
12 RULES THAT INCLUDE:

- 13 (a) THE PROCEDURES AND TIMELINES BY WHICH AN ENTITY MAY  
14 APPLY FOR A PILOT PROGRAM GRANT;  
15 (b) THE GRANT APPLICATION CONTENTS;  
16 (c) CRITERIA FOR DETERMINING THE AMOUNT OF EACH GRANT  
17 AWARDED TO A FACILITY; AND  
18 (e) THE PROCESS FOR EVALUATING THE PILOT PROGRAM AND THE  
19 REPORTING REQUIREMENTS OF THE COLLEGE OF NURSING AND THE GRANT  
20 AWARD RECIPIENTS TO THE GENERAL ASSEMBLY.

21 **23-21-907. Funding for pilot program.** (1) (a) FOR THE 2019-20  
22 AND 2020-21 STATE FISCAL YEARS, THE GENERAL ASSEMBLY SHALL  
23 ANNUALLY APPROPRIATE FIVE HUNDRED THOUSAND DOLLARS PER FISCAL  
24 YEAR FROM THE MARIJUANA TAX CASH FUND CREATED IN SECTION  
25 39-28.8-501 TO THE BOARD OF REGENTS OF THE UNIVERSITY OF  
26 COLORADO, FOR ALLOCATION TO THE COLLEGE OF NURSING TO  
27 IMPLEMENT THE PILOT PROGRAM. THE COLLEGE OF NURSING MAY USE A

1 PORTION OF THE MONEY ANNUALLY APPROPRIATED FOR THE PILOT  
2 PROGRAM TO PAY THE DIRECT AND INDIRECT COSTS THAT THE COLLEGE OF  
3 NURSING INCURS TO ADMINISTER THE PILOT PROGRAM, AS WELL AS TO  
4 PROVIDE CONSULTING SERVICES TO AND OVERSIGHT OF GRANT  
5 RECIPIENTS, FOR DATA COLLECTION AND ANALYSIS, EVALUATION OF THE  
6 PILOT PROGRAM, AND PROGRAM REPORTING.

7 (b) IF ANY UNEXPENDED OR UNCOMMITTED MONEY APPROPRIATED  
8 FOR THE 2019-20 FISCAL YEAR REMAINS AT THE END OF THAT FISCAL  
9 YEAR, THE COLLEGE OF NURSING MAY EXPEND THE MONEY IN  
10 ACCORDANCE WITH THIS SECTION IN THE 2020-21 FISCAL YEAR. ANY  
11 UNEXPENDED OR UNCOMMITTED MONEY REMAINING AT THE END OF THE  
12 2020-21 FISCAL YEAR REVERTS TO THE MARIJUANA TAX CASH FUND.

13 (2) THE COLLEGE OF NURSING MAY SOLICIT, ACCEPT, AND EXPEND  
14 ANY GIFTS, GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES TO  
15 IMPLEMENT OR ADMINISTER THE PILOT PROGRAM.

16 **23-21-908. Repeal of part.** THIS PART 9 IS REPEALED, EFFECTIVE  
17 JUNE 30, 2022.

18 **SECTION 9.** In Colorado Revised Statutes, 25-15-328, **amend**  
19 (3) and (5) as follows:

20 **25-15-328. Household medication take-back program -**  
21 **collection and disposal of medication injection devices - creation -**  
22 **liability - definitions - cash fund - rules.** (3) (a) Subject to available  
23 funds, the executive director of the department shall establish a  
24 household medication take-back program to collect and dispose of  
25 unused household medications. The program must allow for individuals  
26 to dispose of unused household medications at approved collection sites  
27 and for carriers to transport unused household medications from

1 approved collection sites to disposal locations.

2 (b) STARTING IN THE 2020-21 FISCAL YEAR, THE EXECUTIVE  
3 DIRECTOR SHALL USE THE MONEY APPROPRIATED TO THE DEPARTMENT  
4 PURSUANT TO SUBSECTION (5)(b) OF THIS SECTION TO IMPLEMENT A  
5 PROCESS FOR THE SAFE DISPOSAL OF NEEDLES, SYRINGES, AND OTHER  
6 DEVICES USED TO INJECT MEDICATION. THE EXECUTIVE DIRECTOR SHALL  
7 DETERMINE THE PROCESSES AND LOCATIONS FOR THE SAFE COLLECTION  
8 AND DISPOSAL OF THE MEDICATION INJECTION DEVICES.

9 (5) (a) The household medication take-back cash fund is created  
10 in the state treasury for the direct and indirect costs associated with the  
11 implementation of this section. The fund consists of ~~moneys~~ MONEY  
12 appropriated or transferred to the fund by the general assembly and any  
13 gifts, grants, and donations from any public or private entity. The  
14 department shall transmit gifts, grants, and donations collected by the  
15 department to the state treasurer, who shall credit the ~~moneys~~ MONEY to  
16 the fund. The ~~moneys~~ MONEY in the fund ~~are~~ IS subject to annual  
17 appropriation by the general assembly.

18 (b) FOR THE 2020-21 FISCAL YEAR AND EACH YEAR THEREAFTER,  
19 THE GENERAL ASSEMBLY SHALL MAKE AN APPROPRIATION FROM THE  
20 GENERAL FUND TO THE DEPARTMENT FOR THE PURPOSE OF EXPANDING  
21 THE HOUSEHOLD MEDICATION TAKE-BACK PROGRAM TO INCLUDE THE  
22 SAFE COLLECTION AND DISPOSAL OF MEDICATION INJECTION DEVICES  
23 PURSUANT TO SUBSECTION (3)(b) OF THIS SECTION.

24 **SECTION 10.** In Colorado Revised Statutes, 25.5-5-208, **add** (3)  
25 as follows:

26 **25.5-5-208. Additional services - training - grants - screening,**  
27 **brief intervention, and referral - repeal.** (3) (a) ON OR BEFORE JULY 1,



1 2019, THE STATE DEPARTMENT SHALL AWARD GRANTS THROUGH A  
2 COMPETITIVE GRANT PROGRAM TO ONE OR MORE ORGANIZATIONS TO  
3 OPERATE A SUBSTANCE ABUSE SCREENING, BRIEF INTERVENTION, AND  
4 REFERRAL TO TREATMENT PROGRAM, FOR THE PURPOSE OF REFERRING TO  
5 TREATMENT FOR SUBSTANCE USE AND MENTAL HEALTH ISSUES, PERSONS  
6 WITH SUBSTANCE USE DISORDERS WHO HAVE TESTED POSITIVE FOR  
7 HEPATITIS C OR HIV AND HAVE USED INJECTABLE DRUGS. THE GRANT  
8 PROGRAM MUST INCLUDE TRAINING:

9 (I) HEALTH CARE PROFESSIONALS TO ASK PATIENTS WHO HAVE  
10 TESTED POSITIVE FOR HEPATITIS C OR HIV WHETHER THEY HAVE USED  
11 INJECTABLE DRUGS;

12 (II) CONCERNING THE CIRCUMSTANCES UNDER WHICH A PATIENT  
13 WHO HAS TESTED POSITIVE FOR HEPATITIS C OR HIV AND HAS USED  
14 INJECTABLE DRUGS SHOULD BE REFERRED TO TREATMENT FOR SUBSTANCE  
15 USE AND MENTAL HEALTH ISSUES; AND

16 (III) CONCERNING THE APPROPRIATE TYPE OF AND PLACE FOR  
17 TREATMENT FOR A PATIENT WHO IS BEING REFERRED FOR SUBSTANCE USE  
18 AND MENTAL HEALTH ISSUES.

19 (b) ON OR BEFORE JULY 1, 2019, THE GENERAL ASSEMBLY SHALL  
20 MAKE AN APPROPRIATION TO THE STATE DEPARTMENT FROM THE  
21 MARIJUANA TAX CASH FUND CREATED IN SECTION 39-28.8-501 FOR THE  
22 PURPOSES OF THIS SUBSECTION (3).

23 (c) THIS SUBSECTION (3) IS REPEALED, EFFECTIVE SEPTEMBER 1,  
24 2020.

25 **SECTION 11.** In Colorado Revised Statutes, 27-80-118, **add** (5)  
26 as follows:

27 **27-80-118. Center for research into substance use disorder**

1 **prevention, treatment, and recovery support strategies - legislative**  
2 **declaration - established - repeal.** (5) (a) THE CENTER SHALL DEVELOP  
3 AND IMPLEMENT A PROGRAM TO INCREASE PUBLIC AWARENESS  
4 CONCERNING THE SAFE USE, STORAGE, AND DISPOSAL OF ANTAGONIST  
5 DRUGS, INCLUDING NALOXONE AND OTHER DRUGS USED TO BLOCK THE  
6 EFFECTS OF OPIOIDS IN AN OVERDOSE.

7 (b) (I) FOR THE 2019-20 FISCAL YEAR, AND EACH FISCAL YEAR  
8 THEREAFTER, THE GENERAL ASSEMBLY SHALL MAKE AN APPROPRIATION  
9 TO THE CENTER FROM THE MARIJUANA TAX CASH FUND CREATED IN  
10 SECTION 39-28.8-501 FOR THE PURPOSES OF THIS SUBSECTION (5).

11 (II) THIS SUBSECTION (5) IS REPEALED, EFFECTIVE SEPTEMBER 1,  
12 2024.

13 **SECTION 12.** In Colorado Revised Statutes, **add** part 2 to article  
14 82 of title 27 as follows:

15 **PART 2**

16 **MATERNAL AND CHILD HEALTH PILOT PROGRAM**

17 **27-82-201. Legislative declaration.** THE GENERAL ASSEMBLY  
18 FINDS AND DECLARES THAT FACILITIES THAT PROVIDE SUBSTANCE USE  
19 DISORDER AND MEDICATION-ASSISTED TREATMENT AND CLINICS THAT  
20 PROVIDE OBSTETRIC AND GYNECOLOGICAL HEALTH CARE SERVICES  
21 WOULD BETTER SERVE PREGNANT AND POSTPARTUM WOMEN IF THE  
22 SERVICES COULD BE COORDINATED AND PROVIDED TO WOMEN AT THE  
23 SAME LOCATION. IT IS THE INTENT OF THE GENERAL ASSEMBLY TO  
24 PROVIDE GENERAL FUND MONEY TO FUND A PILOT PROGRAM TO  
25 INTEGRATE THESE HEALTH CARE SERVICES AT SPECIFIED FACILITIES AND  
26 CLINICS AND REQUIRE THE OFFICE OF BEHAVIORAL HEALTH TO EVALUATE  
27 THE PILOT PROGRAM AND REPORT THE RESULTS OF THE PILOT PROGRAM TO

1 THE GENERAL ASSEMBLY.

2 **27-82-202. Definitions.** AS USED IN THIS PART 2, UNLESS THE  
3 CONTEXT OTHERWISE REQUIRES:

4 (1) "CLINIC" MEANS A SITE THAT PROVIDES OBSTETRIC AND  
5 GYNECOLOGICAL HEALTH CARE AND THAT PREDOMINANTLY SERVES  
6 PREGNANT AND POSTPARTUM WOMEN.

7 (2) "FACILITY" MEANS A HEALTH CARE FACILITY THAT PROVIDES  
8 SUBSTANCE USE DISORDER OR MEDICATION-ASSISTED TREATMENT.

9 (3) "LICENSED HEALTH CARE PROVIDER" MEANS A PHYSICIAN OR  
10 PHYSICIAN ASSISTANT LICENSED PURSUANT TO ARTICLE 36 OF TITLE 12 OR  
11 A NURSE LICENSED PURSUANT TO ARTICLE 38 OF TITLE 12.

12 (4) "PILOT PROGRAM" MEANS THE MATERNAL AND CHILD HEALTH  
13 PILOT PROGRAM.

14 **27-82-203. Maternal and child health pilot program - created**  
15 **- eligibility of grant recipients - rules.** (1) THERE IS HEREBY CREATED  
16 WITHIN THE DEPARTMENT THE MATERNAL AND CHILD HEALTH PILOT  
17 PROGRAM. THE OFFICE OF BEHAVIORAL HEALTH SHALL ADMINISTER THE  
18 PILOT PROGRAM. THE PURPOSE OF THE PILOT PROGRAM IS TO:

19 (a) PROVIDE GRANTS TO THREE FACILITIES TO FACILITATE THE  
20 INTEGRATION OF OBSTETRIC AND GYNECOLOGICAL HEALTH CARE; AND

21 (b) PROVIDE GRANTS TO SIX CLINICS TO FACILITATE THE  
22 INTEGRATION OF BEHAVIORAL HEALTH, INCLUDING SUBSTANCE USE  
23 DISORDER AND MEDICATION-ASSISTED TREATMENT, INTO OBSTETRIC AND  
24 GYNECOLOGICAL HEALTH CARE AT THE CLINICS.

25 (2) THE OFFICE OF BEHAVIORAL HEALTH SHALL DETERMINE THE  
26 CRITERIA FOR FACILITIES AND CLINICS TO BE ELIGIBLE TO RECEIVE THE  
27 GRANTS.

1           (3) (a) (I) A FACILITY THAT IS AWARDED A GRANT SHALL  
2 INTEGRATE PRENATAL, POSTPARTUM, AND OTHER HEALTH CARE SERVICES  
3 DELIVERED BY LICENSED HEALTH CARE PROVIDERS INTO THE SERVICES  
4 CURRENTLY PROVIDED AT THE FACILITY.

5           (II) A FACILITY THAT IS AWARDED A GRANT MAY USE MONEY  
6 FROM THE GRANT TO HIRE CLINICAL STAFF AND TO PROVIDE CLINICAL  
7 UPDATES IN ORDER TO PERFORM OBSTETRIC AND GYNECOLOGICAL HEALTH  
8 CARE WITHIN THE FACILITY WHERE SUBSTANCE USE TREATMENT AND  
9 MEDICATION-ASSISTED TREATMENT IS PROVIDED. A FACILITY WITH LOW  
10 PATIENT VOLUME MAY PARTNER WITH OTHER FACILITIES AND CLINICS TO  
11 PROVIDE INTEGRATED CARE.

12           (b) (I) A CLINIC THAT IS AWARDED A GRANT SHALL INTEGRATE  
13 BEHAVIORAL HEALTH CARE SERVICES, INCLUDING SUBSTANCE USE  
14 DISORDER AND MEDICATION-ASSISTED TREATMENT, INTO THE HEALTH  
15 CARE SERVICES CURRENTLY PROVIDED AT THE CLINIC.

16           (II) A CLINIC MAY USE MONEY FROM THE GRANT TO TRAIN  
17 CLINICAL STAFF, UPGRADE AND CHANGE TECHNOLOGY PLATFORMS TO  
18 SUPPORT INTEGRATED CARE, EMPLOY BEHAVIORAL HEALTH CARE  
19 PROVIDERS, AND COORDINATE AND REFER PATIENTS TO BEHAVIORAL  
20 HEALTH CARE PROVIDERS OUTSIDE THE CLINIC.

21           (4) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT, IN  
22 CONSULTATION WITH THE OFFICE OF BEHAVIORAL HEALTH, MAY  
23 PROMULGATE RULES TO IMPLEMENT THE PILOT PROGRAM. THE RULES  
24 MUST INCLUDE:

25           (a) THE PROCEDURES AND TIMELINES BY WHICH A FACILITY OF  
26 CLINIC MAY APPLY FOR A GRANT;

27           (b) GRANT APPLICATION CONTENTS; AND

1 (c) CRITERIA FOR DETERMINING THE AMOUNT OF EACH GRANT  
2 AWARDED TO A FACILITY OR CLINIC.

3 (3) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT SHALL  
4 DETERMINE A PROCESS TO EVALUATE THE GRANT RECIPIENTS AND THE  
5 INTEGRATION OF HEALTH CARE RESULTING FROM THE PILOT PROGRAM.  
6 THE OFFICE OF BEHAVIORAL HEALTH SHALL REPORT THE RESULTS OF THE  
7 PILOT PROGRAM TO THE GENERAL ASSEMBLY.

8 **25-82-204. Funding for pilot program.** (1) (a) FOR THE 2019-20  
9 THROUGH 2021-22 FISCAL YEARS, THE GENERAL ASSEMBLY SHALL MAKE  
10 AN APPROPRIATION EACH FISCAL YEAR FROM THE GENERAL FUND TO THE  
11 DEPARTMENT, FOR ALLOCATION TO THE OFFICE OF BEHAVIORAL HEALTH  
12 TO IMPLEMENT THE PILOT PROGRAM. THE DEPARTMENT MAY USE A  
13 PORTION OF THE MONEY ANNUALLY APPROPRIATED FOR THE PILOT  
14 PROGRAM TO PAY THE DIRECT AND INDIRECT COSTS INCURRED TO  
15 ADMINISTER THE PILOT PROGRAM.

16 (b) IF ANY UNEXPENDED OR UNCOMMITTED MONEY APPROPRIATED  
17 FOR THE FISCAL YEARS 2019-20 AND 2020-21 REMAINS AT THE END OF  
18 EITHER FISCAL YEAR, THE DEPARTMENT MAY EXPEND THE MONEY IN  
19 ACCORDANCE WITH THIS SECTION IN THE SUCCEEDING FISCAL YEAR. ANY  
20 UNEXPENDED OR UNCOMMITTED MONEY REMAINING AT THE END OF THE  
21 2021-22 FISCAL YEAR REVERTS TO THE GENERAL FUND.

22 (2) THE DEPARTMENT MAY SOLICIT, ACCEPT, AND EXPEND ANY  
23 GIFTS, GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES TO  
24 IMPLEMENT OR ADMINISTER THE PILOT PROGRAM.

25 **27-82-205. Repeal of part.** THIS PART 2 IS REPEALED, EFFECTIVE  
26 JUNE 30, 2023.

27 **SECTION 13. Appropriation.** For the 2019-20 state fiscal year,

1 \$5,000,000 is appropriated to the department of public health and  
2 environment for use by the office of planning, partnerships, and  
3 improvement. This appropriation is from the general fund. To implement  
4 this act, the office may use this appropriation for distributions to local  
5 public health agencies.

6 **SECTION 14. Safety clause.** The general assembly hereby finds,  
7 determines, and declares that this act is necessary for the immediate  
8 preservation of the public peace, health, and safety.